

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JERRY E. SPICER,

Plaintiff,

v.

JOSEPH LEHMAN, *et al.*,

Defendants.

Case No. C06-5132 FDB

ORDER DENYING  
APPLICATION TO PROCEED *IN*  
*FORMA PAUPERIS*

The Magistrate Judge recommends that this application to proceed *in forma pauperis* be denied based on Plaintiff's failure to show cause. The Court, having reviewed the Report and Recommendation, Plaintiff's application to proceed *in forma pauperis* and the remaining record, hereby finds and ORDERS:

- (1) The Magistrate Judge's Report and Recommendation is approved and adopted;
- (2) Plaintiff's application to proceed *in forma pauperis* is DENIED;
- (3) Plaintiff shall pay the required filing fee (\$250.00) to the Clerk of the Court within thirty (30) days of the date of this Order, otherwise this action will be dismissed; and
- (4) The Clerk is directed to send copies of this Order to Plaintiff and any other party that has appeared in this action.

DATED this 17<sup>th</sup> day of July, 2006.



FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE